# **Documenting ICWA**

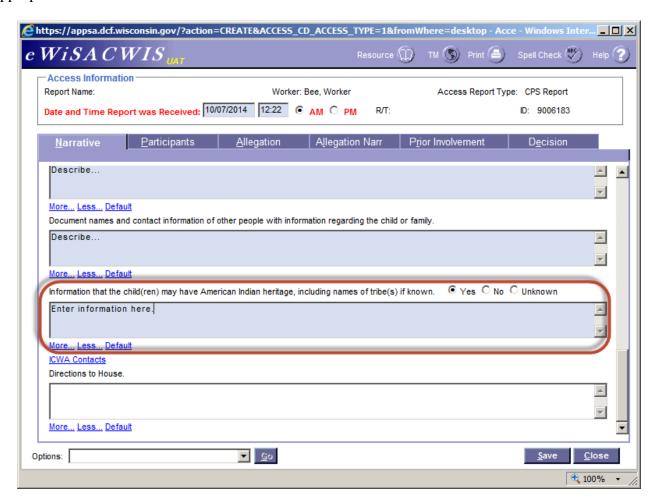
#### Introduction

ICWA information can be documented in several areas in eWiSACWIS: Access, Assessment, Person Management, ICWA Record, and the Case/Permanency Plan. The following guide will address documentation of ICWA in each of these areas.

Additionally, placement preferences for ICWA are documented on the ICWA tab of the child's Out of Home Placement. For more information, please see the Creating on Out of Home Placement Quick Reference Guide.

#### Access

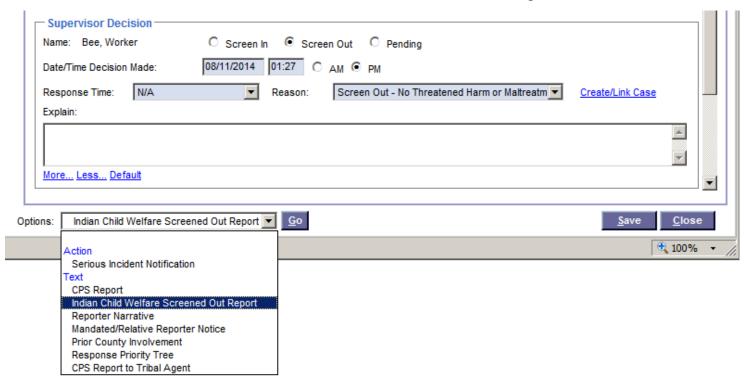
1. On the Access Report > Narrative Tab, the radio button and narrative for the 'Information that the child(ren) may have American Indian heritage, including names of the tribe(s) if known' is required. Select the appropriate radio button and enter text for the narrative.



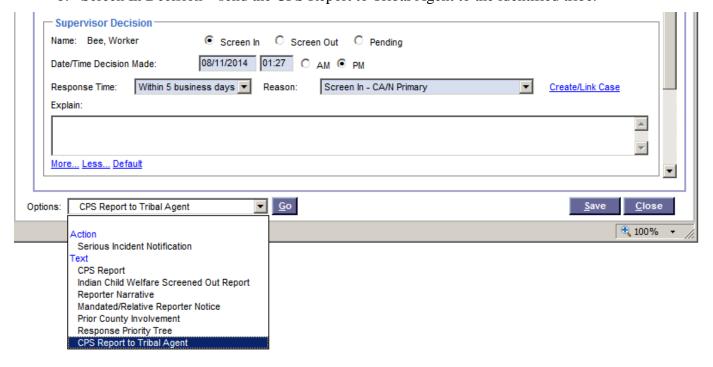
**Note:** The radio button defaults to 'Unknown'. However, if a child(ren) on the Participants tab is identified as having a role of 'Biological Child' and a Race of 'American Indian/Alaskan Native' or an Ethnicity of 'Native American' the radio button will automatically be selected as 'Yes'.

**Note:** The <u>ICWA Contacts</u> listed underneath the narrative box is a hyperlink to the current Wisconsin contacts for each tribe and Bureau of Indian Affairs (BIA) tribal contacts.

- 2. If designated as a CPS Report, the appropriate template for a child(ren) who has a tribal affiliation should be sent upon the final screening decision. To generate a template, go to the Options drop-down on the Decision Tab of the Access Report.
  - a. Screen Out Decision- send the Indian Child Welfare Screened Out Report to the identified tribe.



b. Screen In Decision – send the CPS Report to Tribal Agent to the identified tribe.

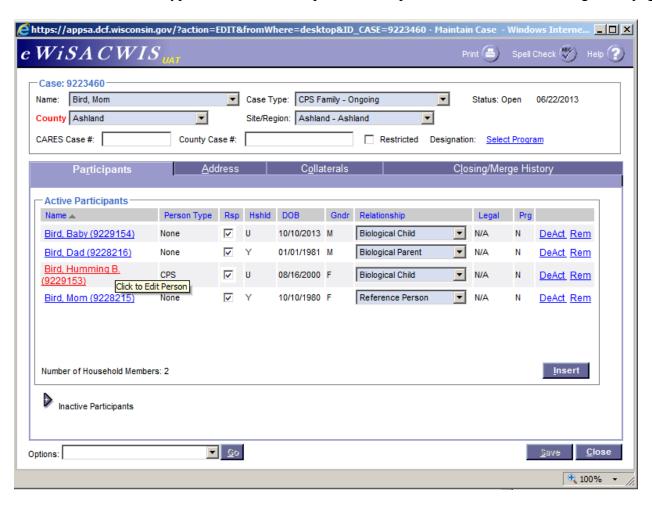


#### **Person Management**

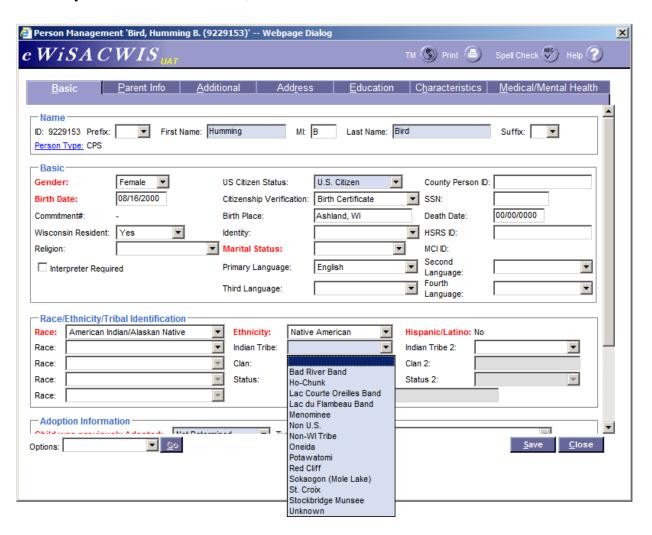
**Note:** Assignment to a case is needed in order to update Person Management.

If a child is reported to be Indian, the child's Race should be documented as 'American Indian/Alaskan Native' and Ethnicity as 'Native American' on the Basic tab of the child's Person Management page. This can be updated at any time after case creation.

- 1. From the Outliner click on the case hyperlink (Maintain Case) in which the child is a participant.
- 2. Click the child's name hyperlink on the Participants tab to open the child's Person Management page.



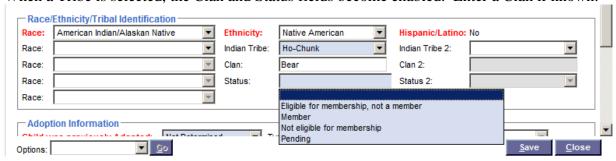
3. On the Basic tab, select 'American Indian/Alaskan Native' for the child's Race and 'Native American' for Ethnicity. When either is indicated, the Indian Tribe field becomes enabled. Select a tribe.



**Note:** If a tribe is not known at the time of entry, select 'Unknown'. The expectation is that the tribe will be identified and this value updated.

**Note:** Values are also available for Non United States Tribes [Non U.S.] and Non-Wisconsin Tribes [Non-WI Tribe].

4. When a Tribe is selected, the Clan and Status fields become enabled. Enter a Clan if known.



5. Next, select the appropriate tribal membership Status. The Status values are:

## 'Eligible for Membership, not a member'

#### 'Member'

If a tribal membership Status is 'Member', the Tribal Membership # will become enabled, but is not required.



**Note:** A child can only be a member of one tribe.

# 'Not eligible for membership'

If either Tribal Status is 'Not eligible for membership' the narrative box for 'Explain why the person is not eligible for Tribal Membership' displays and is required.



#### 'Pending'

If a Request for Confirmation of a Child's Indian Status letter has been sent to a tribe, but a response has not been received, enter the membership Status as 'Pending'.

When either tribal membership Status is 'Pending' the primary worker will receive a Tickler to <u>Update Pending Tribal Membership Status</u>. The tickler is a hyperlink to the participants Person Management page.



Once an answer is received from the tribe, update the tribal membership status on the child's Person Management. This will delete the tickler.

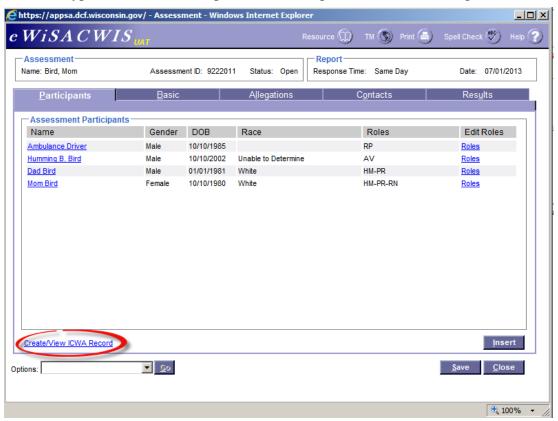
- 6. If another tribe is indicated, enter that tribe in the Indian Tribe 2 field and associated information.
- 7. Save the Person Management page when finished.

#### Ways to Create/ Edit an ICWA Record

An ICWA Record should be created for all children in order to complete the Screening for Child's Status as an Indian. The ICWA Record can be created or accessed one of three ways: from the Assessment page, from Create Case Work, and from the Utilities menu.

#### A. From Assessment

1. To create or edit an existing ICWA Record for a participant in Assessment, click the <u>Create/View ICWA Record</u> hyperlink on the Participants tab. This opens the ICWA Participant Selection page.

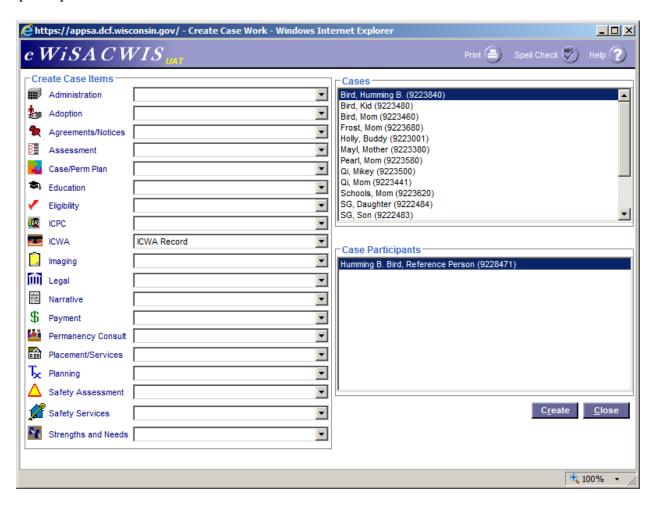


2. Select a case participant and click Continue. If an ICWA Record was previously created for the participant, the existing record will open. If no record exists, an ICWA Record for the participant will be created.



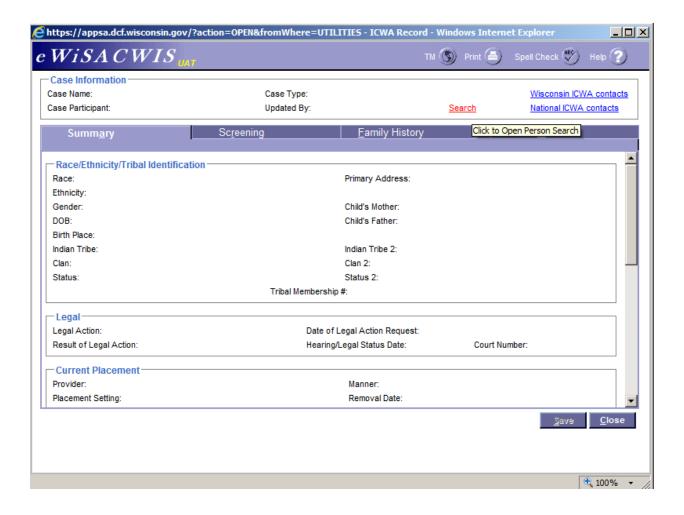
#### **B.** From Create Case Work

- 1. From the desktop, select Create > Case Work or click the Case Work button work to open the Create Case Work page.
- 2. On the Create Case Work page, go to ICWA and select 'ICWA Record' from the drop-down. Select the case and participant and click Create to create the ICWA Record.



#### C. From the Utilities Menu

- 1. Select Utilities> ICWA Record to open a blank ICWA Record.
- 2. Click the <u>Search</u> hyperlink to select a participant. Once selected, expand the person icon and select the case in which to associate the ICWA Record. While case selection is required in order to create the ICWA Record from the Utilities menu, the record will follow the child.

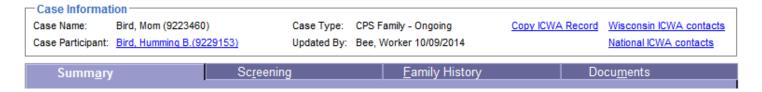


# Entering an ICWA Record



The ICWA Record consists of a Header section and four tabs: Summary, Screening, Family History, and Documents.

#### **ICWA Header**



#### **Case Information-**

Case Name- prefills case name.

Case Participant- prefills with the name as a hyperlink to the participant's Person Management page.

Case Type- prefills case type.

Updated By:- identifies the person who last updated the ICWA Record.

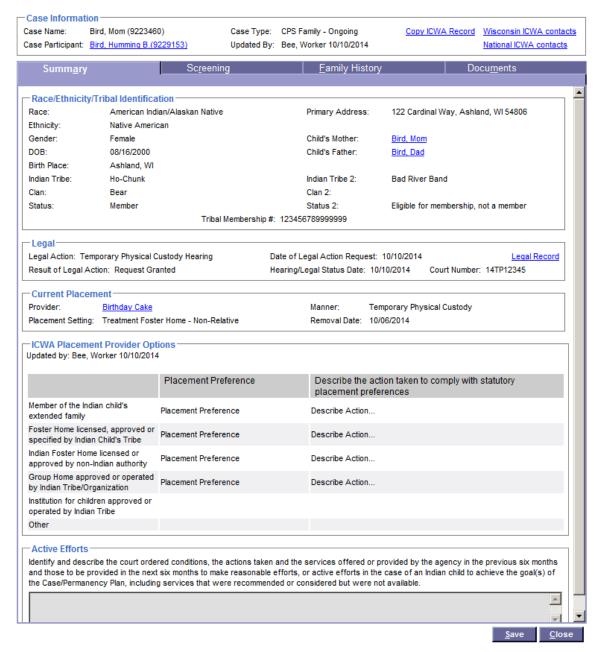
Copy ICWA Record - hyperlink that appears after saving of the page. This allows for copy over of the Screening and Family History tabs to another case participant.

Wisconsin ICWA contacts – hyperlink to the State of Wisconsin Federally Recognized Indian Tribes Indian Child Welfare contact list.

National ICWA contacts- hyperlink to the Federal Register of Indian Tribes.

#### **ICWA Record - Summary Tab**

Information on the Summary tab prefills from other areas in eWiSACWIS.



**Race/Ethnicity/Tribal Identification** -prefills from Person Management. The Child's Mother/Father names are hyperlinks to their respective Person Management record.

**Legal**- prefills the most recent Legal action and status (if available) from the participant's Legal Record. The <u>Legal Record</u> hyperlink opens the Legal Record where information can be viewed or updated (based on assignment and worker security).

**Current Placement Information**- pre-fills from the child's open Out of Home Placement. The Provider name is a hyperlink to the Provider record.

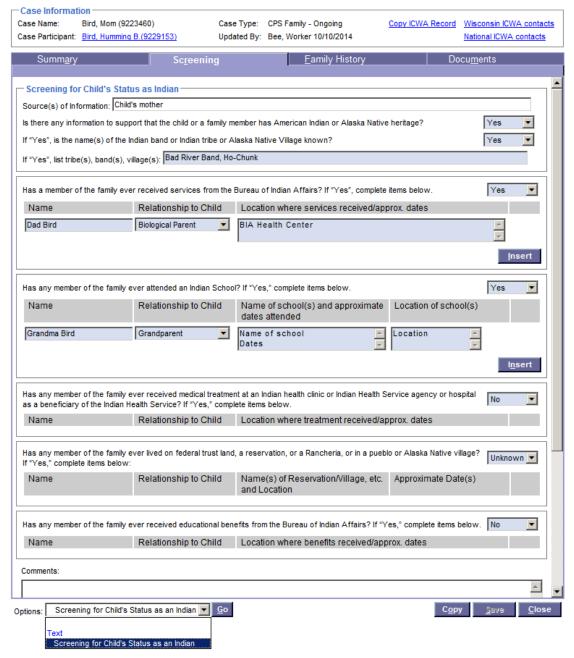
**ICWA Placement Provider Options**- pre-fills from the ICWA tab of the Out of Home Placement.

**Active Efforts**- prefills Active Efforts narrative entered on the most recently, approved Permanency Plan (if available). If prefilled, a <u>View/Case Permanency Plan</u> hyperlink will display which links to the associated plan.

### **ICWA Record- Screening Tab**

A Screening for Child's Status as Indian must be completed for every child during the initial assessment process to determine whether or not ICWA applies. If 'Yes' is answered for either of the first two questions, the rest of the questions are required.

- 1. Enter all required fields and associated narratives.
- 2. Once all information is entered, select 'Screening for Child's Status as an Indian' from the Options drop-down and click Go to launch the template.

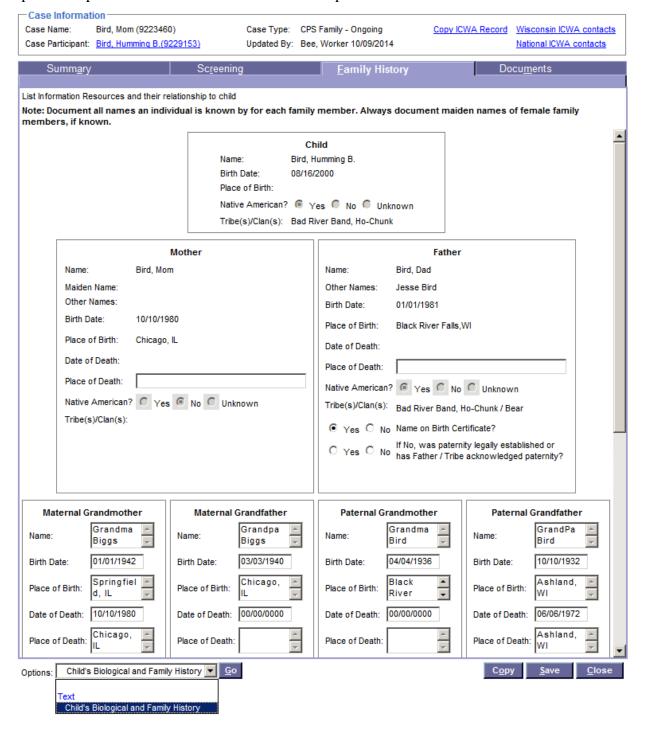


- 3. Print the template and Click Close and Return to eWiSACWIS to return to the ICWA Record. Click Save on the ICWA Record page.
- 4. The template will now be nested under the ICWA Icon from the case outliner.

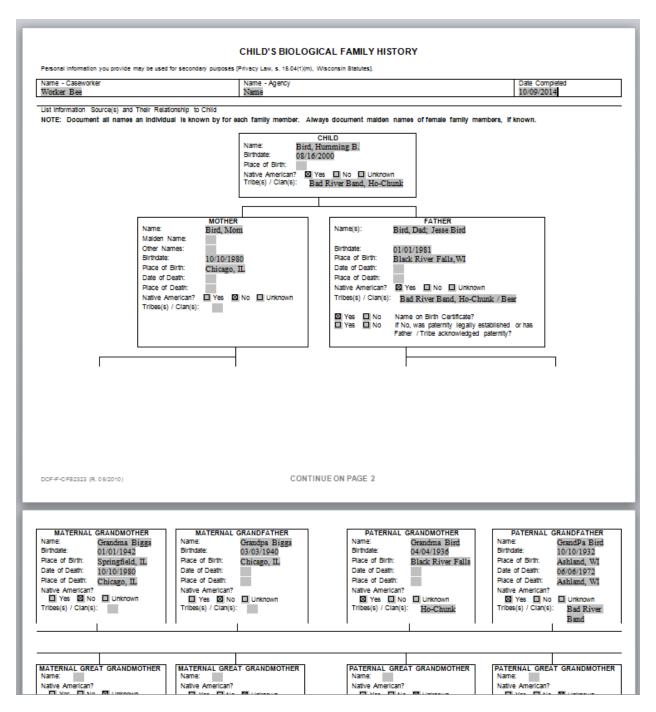
#### **ICWA Record- Family History Tab**

Information for the Child, Mother, and Father boxes prefill from Person Management (Mother and Father are identified on the Parent Info tab of the child's Person Management page). To make changes, click the child's name hyperlink in the header section. Information for grandparents is user entered, unless it is captured on the child's parents Person Management page(s). Great Grandparents are user entered.

1. Once all available information is entered, select 'Child's Biological and Family History' from the Options drop-down and click Go to launch the template.



2. Print the template and Click Close and Return to eWiSACWIS to return to the ICWA Record. Click Save on the ICWA Record page.



**Note:** This document may be copied to another case participant. See the Copying an ICWA Document section of this guide for more information.

3. The template will now be nested under the ICWA Icon from the case outliner.

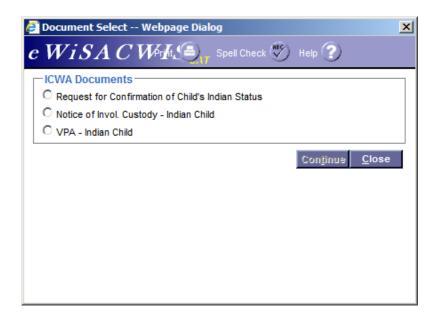
#### **ICWA Record- Documents Tab**

This tab is used to generate and keep a history of the following documents: the Request for Confirmation of Child's Indian Status, the Notice of Involuntary Child Custody Proceeding Involving an Indian Child, and the Voluntary Placement Agreement for an Indian Child.

1. To create a document, click the Insert button to open the Document Select page.



2. Select the radio button for the appropriate document and click Continue.



- 3. Enter the appropriate information for the ICWA Document (see A, B, & C below).
- 4. Once saved, the document will be added to the Documents tab history. The Document Name is a hyperlink to the document. The Sent date prefills from the associated document page.

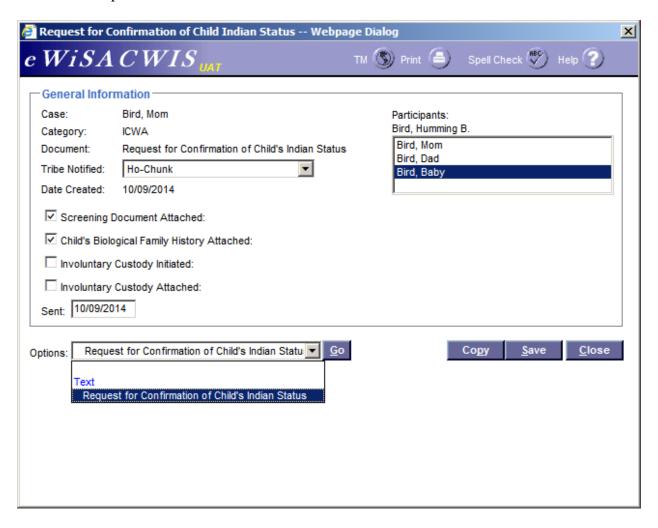


5. An existing ICWA Record can be accessed from the desktop outliner under the case. Created documents for a Participant are nested under the ICWA Record.



The following are details for each ICWA Document type:

- A. **Request for Confirmation of Child's Indian Status** to be completed and sent to the tribe or the BIA when American Indian heritage is suspected.
  - 1. Select the Tribe Notified from the drop-down. This will prefill the tribe and address to the document.
  - 2. The name of the child on the ICWA record will default under Participants. Additional participants can be selected by holding down the 'Ctrl' key and selecting the name.
  - 3. Select the appropriate checkboxes for any additional documents being sent with the Request for Confirmation of Child's Indian Status to the tribe.
  - 4. Enter the sent date.
  - 5. Select 'Request for Confirmation of Child's Indian Status' from the Options drop-down and click Go to launch the template.



4. Print the template and Click Close and Return to eWiSACWIS to return to the Request for Confirmation of the Child's Indian Status page.

REQUEST FOR CONFIRMATION OF CHILD'S INDIAN STATUS						
Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m), Wisconsin Statutes].						
TO: Ho-Chunk Nation	Date of Request:10/09/2014					
P.O. Box 40 Black River Falls, WI 54615	eWiSACWIS Case Number: 9223460					
ATTN: Tibellows seed						
ATTN: Tribal ICWA Agent	Gender   Birthdate					
Name - Child (Last, First, MI) Bird, Humming, B	□ M ⋈ F 08/16/2000					
Birthplace	22.					
Ashland, WI						
Name - Child (Last, First, MI)	Gender Birthdate					
Bird, Baby	☑ M ☐ F 10/10/2013					
Birthplace	☑ M ☐ F 10/10/2013					
Birthplace Ashland, WI  Our agency is involved with the family of the above child(ren) and notify us as soon as possible as to a	ve-named child(ren). Please review the attached information regarding the whether he or she is a member of the tribe or the biological child of a member					
	ve-named child(ren). Please review the attached information regarding the whether he or she is a member of the tribe or the biological child of a member					
Birthplace Ashland, WI  Our agency is involved with the family of the above child(ren) and notify us as soon as possible as to the tribe and eligible for membership. The follow  Screening for Child's Status as Indian	ve-named child(ren). Please review the attached information regarding the whether he or she is a member of the tribe or the biological child of a member ing documents are attached.					
Birthplace Ashland, WI  Our agency is involved with the family of the above child(ren) and notify us as soon as possible as to eithe tribe and eligible for membership. The follow Screening for Child's Status as Indian Child's Biological Family History Chart  Yes No An Involuntary Child Custody Pro	ve-named child(ren). Please review the attached information regarding the whether he or she is a member of the tribe or the biological child of a member ing documents are attached.					
Birthplace Ashland, WI  Our agency is involved with the family of the above child(ren) and notify us as soon as possible as to extend the tribe and eligible for membership. The follow Screening for Child's Status as Indian Child's Biological Family History Chart  Yes No An Involuntary Child Custody Pro	ve-named child(ren). Please review the attached information regarding the whether he or she is a member of the tribe or the biological child of a member ing documents are attached.  ceeding has been initiated.					
Birthplace Ashland, WI  Our agency is involved with the family of the above child(ren) and notify us as soon as possible as to the tribe and eligible for membership. The follow Screening for Child's Status as Indian Child's Biological Family History Chart  Yes No An Involuntary Child Custody Pro Your immediate attention and response to this maregard to the Indian Child Welfare Act is uncertain information.	ve-named child(ren). Please review the attached information regarding the whether he or she is a member of the tribe or the biological child of a member ing documents are attached.  ceeding has been initiated.					

6. On the Request for Confirmation of the Child's Indian Status page, select Save. Click close to return to the ICWA Record.

**Note:** This document may be copied to another case participant. See the Copying an ICWA Document section of this guide for more information.

B. **Notice of Involuntary Custody for an Indian Child**- When an Involuntary Custody Hearing is being held for an Indian child, the Notice of Involuntary Child Custody Proceeding Involving an Indian Child page must be completed and template printed and sent to the tribe (or the BIA if the tribe is 'Unknown'). Included with this notice is a notification of rights under ICWA.

**Note:** This notice must be sent to the tribe or BIA via registered mail.

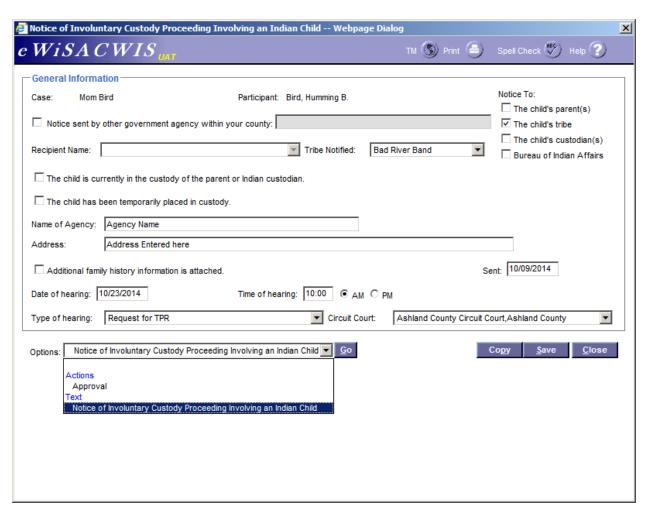
**Note:** This form is regarded as the official notice to the tribe, parents, or Indian custodian under the Indian Child Welfare Act.

1. Complete all known fields on the Notice of Involuntary Custody Proceeding Involving an Indian Child page.

**Note:** To document that this notice was sent by another county agency, select the checkbox 'Notice sent by other government agency within your county:' and enter the Agency name.

V	Notice sent by other government agency within your county:	Agency Name

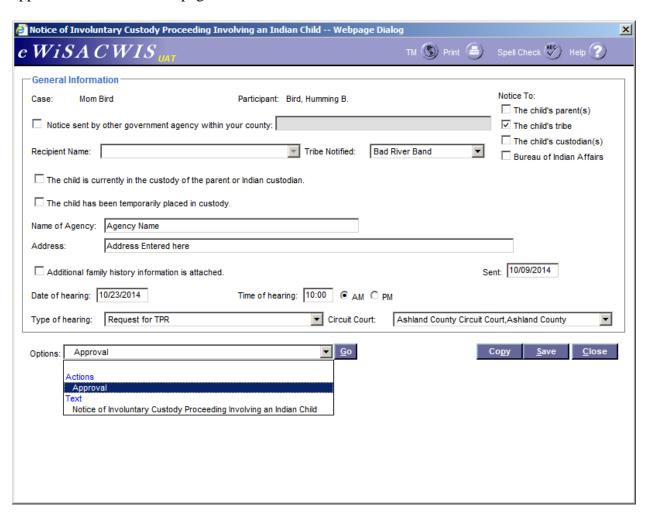
2. Once complete, select the 'Notice of Involuntary Custody Proceeding Involving an Indian Child' from the Options drop-down and click Go to launch the template.



3. Print the template and Click Close and Return to eWiSACWIS to return to the Notice of Involuntary Custody Proceeding Involving an Indian Child page.

INVOLVING AN INDIAN CHILD						
TO: Bad River Tribe P.O. Box 55 Odanah, WI 54861		Notice To: ☐ The child's parent(s) ☑ The child's tribe ☐ The child's custodian(s) ☐ Bureau of Indian Affairs				
The Indian Child Welfare Act requires that you be n Information about the hearing is also contained in thattachment to this form. Personal information you p Wisconsin Statutes].  THIS NOTICE CONCERNS:	nis form. Your rights regarding these pro	ceedings are explained in an				
CHILD INFORMATION						
Name (Last, First, MI) Bird, Humming, B	Birthdate (mm/dd/yyyy) 08/16/2000	Birthplace (City, State) Ashland, WI				
Name – Tribe or Band or Alaska Native village of which of Bad River Band	hild is reported to be a member or eligible fo	rmembership				
Clan Eagle						
MOTHER INFORMATION						
MOTHER INFORMATION Name – (Current - Last, First, MI) Bird, Mom	Maiden Name	Birthdate (mm/dd/yyyy 10/10/1980				
Name – (Current - Last, First, MI)	Maiden Name					
Name – (Current - Last, First, MI) Bird, Mom Other Names Known By	Maiden Name					
Name – (Current - Last, First, MI)  Bird, Mom  Other Names Known By  Tribal Affiliation(s)	Maiden Name					
Name – (Current - Last, First, MI)  Bird, Mom  Other Names Known By  Tribal Affiliation(s)  Clan  FATHER INFORMATION	Maiden Name	10/10/1980				
Name – (Current - Last, First, MI)  Bird, Mom  Other Names Known By  Tribal Affiliation(s)  Clan  FATHER INFORMATION  Name (Last, First, MI)  Bird, Dad	Maiden Name					
Name – (Current - Last, First, MI)  Bird, Mom  Other Names Known By  Tribal Affiliation(s)  Clan  FATHER INFORMATION  Name (Last, First, MI)	Maiden Name	10/10/1980  Birthdate (mm/dd/yyyy				
Name – (Current - Last, First, MI)  Bird, Mom  Other Names Known By  Tribal Affiliation(s)  Clan  FATHER INFORMATION  Name (Last, First, MI)  Bird, Dad  Other Names Known By	Maiden Name	10/10/1980  Birthdate (mm/dd/yyyy				

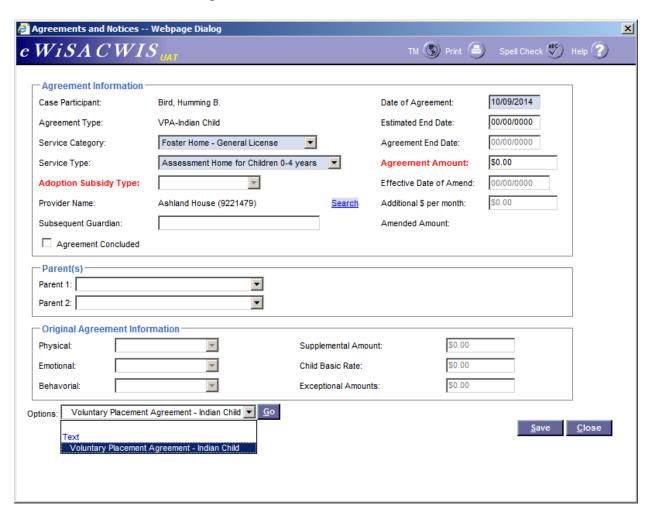
4. On the Notice of Involuntary Custody Proceeding Involving an Indian Child page, select 'Approval' from the Options drop-down and click Go. Select the Approve radio button. Click Continue to send for approval and return to the page.



5. On the Notice of Involuntary Custody Proceeding Involving and Indian Child page, select Save. Click close to return to the ICWA Record.

**Note:** This document may be copied to another case participant. See the Copying an ICWA Document section of this guide for more information.

- C. **VPA- Indian Child** If an Indian child is placed via a Voluntary Placement Agreement (VPA), the VPA for an Indian Child must be documented.
  - 1. On the Agreements and Notices page, complete the necessary fields, including performing a provider <a href="Search">Search</a> to insert the provider.
  - 2. Once complete, select the 'Voluntary Placement Agreement- Indian Child' from the Options drop-down and click Go to launch the template.



3. Print the template and Click Close and Return to eWiSACWIS to return to the Agreements and Notices page.

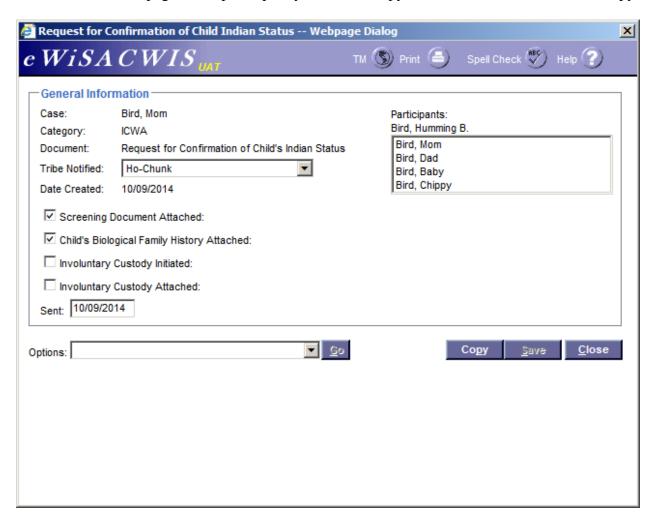
Voluntary Placement Agreement For An Indian Child	
(This agreement must be certified by a court of competent jurisdiction.)	
Use of form: Completion of this form is voluntary. The form may be used by child welfare agencies voluntarily placing an Indian child in a foster home or group home to comply with the requirements of the Wisconsin Chapter 48, the Children's Code and with the federal Indian Child Welfare Act. Personal information you provide may be used for secondary purposes [Privacy Law, s.15.04(1)(m), Wisconsin Statutes]. Note: Do not use this form if the child is less than 11 days old.	
I hereby request the Name to place my child	
Department of Children and Families / County Department	
☐ treatment foster home, ☐ group home, pursuant to s.48.63(1), Wis. Stats., ☐ group home, pursuant to s.48.625(1m), Wis. Stats.	
Placement dates are from 10/09/2014 to (mm/dd/yyyy) (mm/dd/yyyy)	
I understand that by signing this document I grant placement and care responsibility of the child to the department listed above.	
I understand that the child's placement in a licensed foster home or treatment foster home may not exceed 180 days from the date of placement. I understand that the child's placement in a group home under s.48.63(1), Wis. Stats., may not exceed 15 days from the date of placement. I understand that the child's placement in a group home under s.48.625(1m), Wis. Stats., may not exceed 180 days from the date of placement.	
I understand that I may terminate this agreement at any time and that the child age 12 years of age or older may terminate this agreement relative to his or her placement.	
I understand that a permanency plan, pursuant to s.48.63(4) and 48.63(5)(c), Wis. Stats., will be prepared and I will be involved in the development of that plan.	l
I agree to keep the department informed of any changes in my circumstances, including address, employment and earnings, marital status, health, access to health insurance and plans relative to the child.	
I understand that I may be held financially responsible for all, or a portion of, the placement costs that may incur during the child's stay in the foster home, treatment foster home, or group home placement. I agree to cooperate with the department in determining my portion of the placement costs for the child. If determined to be financially responsible I agree to pay the department for the care of the child in the amount of \$438.00 per ☐ week ☑ month beginning on	

4. On the Agreements and Notices page, select Save. Click close to return to the ICWA Record.

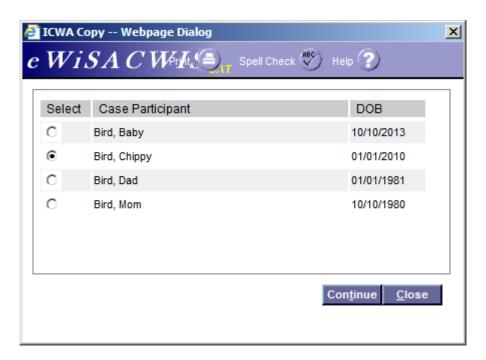
# **Copying an ICWA Document**

The Request for Confirmation of the Child's Indian Status and the Notice of Involuntary Custody Proceeding Involving an Indian Child documentation pages may be copied to another case participant.

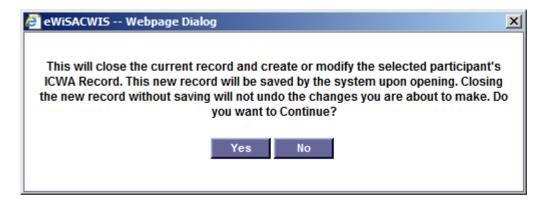
1. Go to the document page of the participant you want to copy the document from. Click the Copy button.



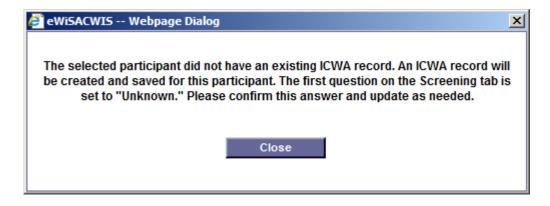
2. Select the Case Participant you would like to copy the document to on the ICWA Copy page and click Continue.



3. The following message will display. Click the Yes to continue.



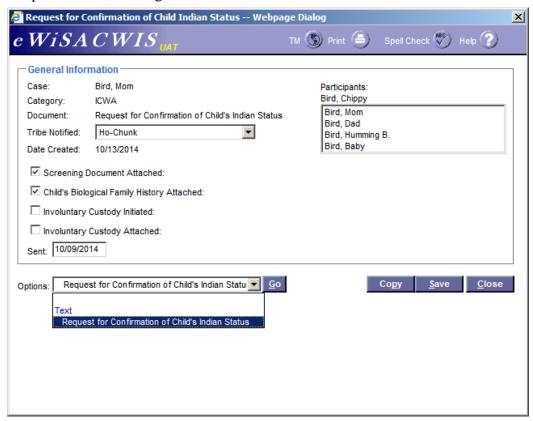
**Note:** If the participant does not have a completed ICWA Record with 'Yes' for American Indian or Alaska Native Screening, the following message will display. Update the Screening Tab to continue.



4. The document line will be inserted to the child's Documents tab. Click the hyperlink to open the document.



5. On the document tab, confirm that all data entered is correct and launch the template by selecting it from the Options drop-down and clicking Go.



6. Print the template and Click Close and Return to eWiSACWIS to return to the document page.

	REQUEST FOR CONFIR	MATION OF CHILD'S	S INDIAN STA	TUS			
Perso	ersonal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m), Wisconsin Statutes].						
TO:	Ho-Chunk Nation	Date o	of Request:	10/13/2014			
	P.O. Box 40 Black River Falls, WI 54615	eWiSA	CWIS Case Nun	nber: 9223460			
ATTN	: Tribal ICWA Agent						
	e - Child (Last, First, MI)			Birthdate 01/01/2010			
Birthp	Chippy			01/01/2010			
	and, WI						
	agency is involved with the family of the above-nar (ren) and notify us as soon as possible as to wheth						
obild/	ibe and eligible for membership. The following do		of the thoe of the	biological child of a member o			
	Screening for Child's Status as Indian						
the tr	Screening for Child's Status as indian						
the tr	Child's Biological Family History Chart						
the tr	Child's Biological Family History Chart						
the tr		ng has been initiated.					
the tr	Child's Biological Family History Chart	ng has been initiated.					

7. Click Save on the document page. Click Close to return to the ICWA Record.